



U-1624

ARIAD 395D US

**In The United States Patent And Trademark Office**

Appln. No. : 09/740,393

Inventors : Weigele et al.

Filing Date : December 18, 2000

For : Purine Derivatives

Art Group : 1624

Examiner : Berch, Mark L.

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Response & Amendment  
& Petition for 3-Month Time Extension**

March 23, 2005

*Office applied only*

Sir:

This is in response to the 09/24/2004 Office Action, a response to which was originally due on 12/24/04. Applicants request a 3-month extension of time for this paper and authorize the PTO to charge our deposit account No. 01-2315 for any fees due in connection with this paper, which should thus be deemed timely filed.

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01 FC:2253 510.00 DA

**Remarks**

*Applicants thank the Examiner for his careful review of their claims. In order to expedite prosecution of claims to subject matter of particular current interest, Applicants have amended the claims (see attached Listing of Claims) and in so doing, believe that the various language issues raised in the pending Office Action are now moot. Definitions added to claim 36 were taken directly from claim 22.*

*Again, the claim amendments are being made solely for expediting prosecution as noted above, rather than in acquiescence to any positions taken by the Examiner. In fact, applicants are not acquiescing to any of those positions and are submitting their amendments without prejudice to the subsequent prosecution of claims to some or all of any subject matter which might be lost by virtue of this paper.*

*Applicants remain prepared to take appropriate action, including a terminal disclaimer, to the extent that is necessitated by the ensuing prosecution of this case and copending USSN 09/740653 upon an indication of the scope of allowable subject matter.*

*Once again, applicants thank the examiner for his continued thorough and thoughtful review of this case. We believe that the claims as amended are in good condition for allowance. If any issues remain open which might be amenable to resolution by phone, the Examiner is invited to call applicants' undersigned attorney.*

*Respectfully submitted,*

*David L. Bernstein*  
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents PO Box 1450, Alexandria, VA 22313-1450 on the date indicated below:

date: March 23, 2005

*Sue Wilson*  
Sue Wilson